

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES RICHARDS and JAY
GEYWITS, individually and on behalf of
all others similarly situated as class
representatives,

Plaintiffs,

v.

LANG INDUSTRIES, INC., WORLD
CLASS ON SITE MANAGEMENT, LLC.,
and LANG WASTE SERVICES CORP.,

Defendants.

AMENDED SCHEDULING ORDER

Case No: 07-CV-03350 (SAS)(DCF)

JUDGE SCHEINDLIN

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on June 13, 2007 (the "Order"); and

WHEREAS, the Order required that the parties jointly prepare and sign a proposed scheduling order containing certain information;

WHEREAS, an Order was signed on June 13, 2007 and filed June 14, 2007 (a copy is attached hereto);

WHEREAS, a pre-motion conference was held on August 30, 2007 and a modification of the June 13, 2007 Scheduling Order was requested;

NOW, THEREFORE, the parties hereby submit the following proposed Amended Scheduling Order:

- (1) the date of the original conference and the appearances for the parties:

June 13, 2007

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(In Person)

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(2) a concise statement of the issues as they then appear:

- a. Whether the defendants violated the Federal Fair Labor Standards Act (FLSA)?
- b. Whether the defendants violated New York Labor Law regarding minimum wage and overtime?
- c. Whether the defendants were unjustly enriched by either of the above?
- d. Whether a class action pursuant to Rule 23 is appropriate for any portion of this case?
- e. Whether an action under Section 216(b) is appropriate for the FLSA claims?
- f. Whether the defendants prevail on one or more of the affirmative defenses?

(3) a schedule including:

- a. the names of the persons to be deposed and a schedule of planned depositions:

NAME	DATE
Edward Lang, President Lang Industries, Inc. World Class On Site Management LLC Land Waster Services Corp. 67 Arena Court Narrowsburg, NY 12764	November - January, 2008
Patrick Fazio Financial Analyst 67 Arena Court Narrowsburg, NY 12764	November - January, 2008

Charles Richards
Yardley, PA

November – January, 2008

Jay Geywits
Sydney, NY

November – January, 2008

Any Other Plaintiff Certified or
Requested for Certification

November – January, 2008

Other Persons as Identified, Subpoenaed
and/or Agreed by the Parties

November – January, 2008

b. a schedule for the production of documents:

Notice of conditionally approved similarly situated employees for Judicial
Approval by September 30, 2007

Plaintiffs' opt-in Notice return date: thirty (30) days from judicially approved
Notice plus five days for mailing

Document discovery for opt-in Plaintiffs by December 31, 2007

c. date by which (i) each expert's reports will be supplied to the adverse side and
(ii) each expert's deposition will be completed:

d. time when discovery is to be completed:

February 28, 2008

e. the date by which plaintiff will supply its pre-trial order matters to defendant:

To Be Determined

f. the date by which the parties will submit a pre-trial order in a form conforming
with the Court's instructions together with trial briefs and either (1) proposed
findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir
dire questions and proposed jury instructions, for a jury trial: and

To Be Determined

g. a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), will be
held on Mon, March 17, 4:30 p.m.

2008

(4) a statement of any limitations to be placed on discovery, indulging any protective
or confidentiality orders:

Protective order on identity of clients and pricing.

- (5) a statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

To Be Determined as the lawsuit progresses.

- (6) anticipated fields of expert testimony, if any;

Economic expert on damages.

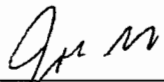
- (7) anticipated length of trial and whether to court or jury;

Four (4) days unless Class is certified;
Eight- Ten (8-10) days if Class is certified.

- (8) The Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference of when justice so requires.


- (9) Names, addresses, phone numbers and signatures of counsel:

Dated: September 24, 2007



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Dated: September __, 2007



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SO ORDERED:



SHIRA A. SCHEINDLIN, U.S.D.J.